



Photo Source: Amnesty USA

STATEMENT ON THE TWO-YEAR ANNIVERSARY OF THE DETENTION OF SERVER MUSTAFAYEV

CHARGES

Membership in a terrorist organization; conspiring to seize power

STATUS

Ongoing trial; defendants detained

TRIALWATCH MONITOR

Human Rights Embassy

MAY 21, 2020

Since May 21, 2018—two years ago today—Server Mustafayev, a Crimean human rights defender, has been kept in detention on terrorism charges. After his arrest and initial detention in Crimea, he was transported across the border into Russia, where he has been put on trial along with several other Crimean Tatar activists, despite a lack of evidence produced to date to support the allegations against them.

Trial monitors who have been observing the trial for the Clooney Foundation for Justice’s (“CFJ”) TrialWatch initiative have described numerous potential violations of the defendants’ rights, including the court’s failure to address concerns that the defendants were unable to understand the interpretation; the judge’s assistance to the prosecution in formulating questions; the use of a cage-like dock to hold the defendants during trial; and the prosecution’s reliance on a secret witness whom the defendants had a limited ability to question. This is in addition to the failure to address the defendants’ health concerns, which CFJ [has previously highlighted](#).

This trial takes place in the context of a reported [crackdown on minority groups in the Crimean peninsula](#), including through [the application of Russian anti-terrorism law in violation of international humanitarian law](#). At the time of Mustafayev’s arrest, [several UN mandate holders](#) expressed concern that he was targeted for “his peaceful and legitimate work.”

CFJ calls on Russia to ensure a fair trial for Mr. Mustafayev and his co-defendants. TrialWatch will continue to monitor the proceedings when they resume on May 27.

BACKGROUND

Mr. Mustafayev is a human rights defender, journalist, and the coordinator of Crimean Solidarity, a civil society initiative established following the 2014 Russian occupation of Crimea. Based on his alleged involvement in Hizb ut-Tahrir, an Islamic political group which Russia has classified as a terrorist organization but which is legal in Ukraine, Mr. Mustafayev has been charged with “membership in a terrorist organization” under Article 205.5.2 of the Penal Code of the Russian Federation and with “conspiring to seize power” under Article 278 of the Penal Code. If convicted, Mr. Mustafayev faces up to 25 years in prison.

ABOUT THE CLOONEY FOUNDATION FOR JUSTICE'S TRIALWATCH INITIATIVE



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The Clooney Foundation for Justice's [TrialWatch](#) initiative monitors and grades the fairness of trials of vulnerable people around the world, including journalists, women and girls, religious minorities, LGBTQ persons and human rights defenders. Using this data, TrialWatch advocates for victims and is developing a Global Justice Ranking measuring national courts' compliance with international human rights standards.